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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **ITA 870/2019**

THE COMMISSIONER OF INCOME TAX -EXEMPTION

..... Appellant

Through: Mr. Ruchir Bhatia, Advocate.
versus

IILM FOUNDATION

..... Respondent

Through: Mr. Aniket D. Agrawal, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **27.09.2019**

C.M. No. 43454/2019 (exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. Mr. Ruchir Bhatia learned counsel for the Appellant on instructions, in light of the decision of this Court in *Lachman Dass Bhatia v. Assistant Commissioner of Income Tax* 2015 5 ITR-OL 360 (Delhi) [FB], seeks leave to withdraw the present appeal with a liberty to prefer a writ petition to challenge the impugned order passed by the ITAT dated 28.02.2019.

4. Dismissed as withdrawn with liberty as prayed for.

VIPIN SANGHI, J

SANJEEV NARULA, J

SEPTEMBER 27, 2019

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